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10/561,486	10/18/2006	Robert Linley Muir	17237US01	6424

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EXAMINER	
RENWICK, REGINALD A	

ART UNIT	PAPER NUMBER
3714	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/561,486	MUIR ET AL.	
	Examiner	Art Unit	
	REGINALD A. RENWICK	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08/03/2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-33 and 44-48* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-33 and 44-48* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *08/03/2009; 08/14/2009*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claim 1, 6-11, 13, 14, 23- 29, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raven (U.S. Patent No. 5,429,361) in further view of Green (U.S. Patent No. 5,954,583).

Re claim 1, 4, 9, 10, 11, 14: Raven discloses a gaming system including a system controller (column 1, lines 50-54, column 2, lines 43-65) wherein the system controller is a MASTERCOM, a plurality of gaming machines (column 1, lines 51-54), a communications system connecting each of the plurality of gaming machine to the system controller wherein wires connect the game machine to the system controller (Fig. 3), and a player identification device having an associated player credit (column 7, lines 3-10; column 11, lines 24-40), each of the gaming machines each having (1) a credit recording facility (column 10, lines 59-65), (2) a player input device (Abstract) wherein a player input device is a card reader, (3) a player identification input device responsive to a player identification device (column 7, lines 3-10; column 10, lines 38-64; column 11,

lines 24-40) wherein the player identification device is a magnetic card or smart card; and (4) a game controller to play a game when a player has established a credit in the credit recording facility of the selected gaming machine(column 3, lines 12-16; column 10, lines 52-64; column 11, lines 1-13) wherein the game controller is a microprocessor, the selected game machine is locked to prevent play of the gaming machine by any player (column 8, lines 14-36), via player action and unlocked when the selected game machine is supplied via the identification input device (column 8, lines 14-36), with the player identification device associated with the credit held in the credit recording facility of the respective gaming machine(column 8, lines 14-36). Raven fails to disclose that the machine is locked solely hen player credit held in the credit recording facility of the respective machine is non-zero. Therefore attention must be directed towards Green which states that "if there are no credits left on the machine at the end of player there is no need to insert the key-the machine will **automatically** be released after predetermined time." Green further states that "a member may reserve a machine, **with credits on it**, and without having his key actually in the machine," and thus Green provides reserving a game machine solely when player credit is held in the machine. It would have been obvious to one skilled in the art to modify the invention of Raven with the requirement that a reserved machine have player credits as taught by Green, for the purpose of preventing game machines from becoming unprofitable due to their un-usability while having no player credits stored on them.

Re claim 4: Raven fails to disclose that each gaming machine connected to the system includes a timeout device such that when the machine is locked for more than a predetermined time any credit held in the credit recording facility of the machine is transferred to the system controller and held there for the player and the machine is unlocked to allow another player to establish a credit in the credit recording facility of the machine and to commence play. Therefore attention must be directed towards Green which discloses such (column 12, lines 9-25; column 9, liens 1-3). It would have been obvious to one skilled in the art to modify the invention of Raven so that credits on a reserved gaming machine are placed in a secure location as taught by Green for the purpose of protecting players from losing their credits.

Re claim 6: Raven discloses that the player credit established by the credit establishment facility and associated with a player identification device of a player establishing the credit is held in the system controller (column 11, lines 58-61).

Re claim 7: Raven discloses that each gaming machine connected to the system includes a credit importing facility such that when a player identification device is supplied to a gaming machine that is not currently holding a player credit in its credit recording facility and is unlocked, the gaming machine will signal the system controller to transfer the players credit of the player supplying the player identification device to the credit recording facility of the respective gaming

machine (Abstract; column 10, lines 52-64) wherein the credit importing facility is microprocessor which updates the gaming machine display with the received credits.

Re claims 8: Raven discloses that the player credit held in the system controller is transferred to the credit recording facility of the machine selected by the player when the player inserts the associated player identification tracking device into the player identification input device of the selected machine (column 10, lines 47-64).

Re claims 12: Raven discloses that the token is issued by a gaming establishment as an in-house mechanism (column 11, lines 27-28).

Re claims 13: Raven discloses that the token is a financial transaction card issued by a remote financial institution wherein the financial transaction card is a credit card (column 10, lines 44-47, 55-59).

Re claim 46, 47, 48: As stated in claim 1, Raven as modified by Green would be locked solely to be locked/reserved, there must be credits present on the game machine and Raven discloses that credits on the game machine are transferred from the credit establishment facility to the gaming machine (column 10, lines 44-64). Raven further discloses that when locked, no other player can play the game

machine and thus play is prevented when the game machine is supplied with the player identification device of another player.

Re claim 47: Raven detects that the selected game machine is in use prior to the reservation process, simply by detecting that there is a player

1. Claims 2, 3, 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raven in view of Green in further view of Walker (US PG PUB 2003/0220138)

Re claims 2: Raven discloses the actuating of a plurality of buttons to instantiate a reservation of a game machine (column 8, lines 14-39). However, Raven fails to disclose that the gaming machines connected to the system includes a singular reservation button and wherein said player action includes actuation of said reservation button. Therefore attention must be directed towards Walker which discloses a gaming machine similar to that of Raven discloses a reservation button wherein the reservation button is a "freeze button" that when pressed while the player tracking means is present causes the machine to lock and prevent further play in the absence of the respective player tracking means (0227; 0265). Because both Raven and Walker disclose actuating a button or buttons to proceed with a reservation process, it would have been obvious to one skilled in the art to simply substitute the plural buttons of Raven with the singular

button of Walker, for the purpose of making reserving a game machine easier to reserve by limiting the amount of buttons that need to be actuated.

Re claims 3: Under the operation of the combination of Raven and Walker as stated above, the game machine must contain player's credit, because Raven states that when a player's credit is zero the player must replenish their account in order to continue (column 11, lines 37-40).

2. Claims 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raven in view of Green in further view of Wilder (U.S. Patent 6,638,169).

Re claims 14 and 30: Raven fails to disclose that the token is a ticket is a ticket readable by an acceptor mounted within the gaming machine. However, Wilder discloses such (column 4, lines 5-29) containing a plurality of information (column 4, lines 14-15) which one skilled in the art would reasonably assume is player information. Because both Raven and Wilder disclose methods of transferring player information to the gaming machine, it would have been obvious to one skilled in the art to replace the card means of Raven for the ticket means of Wilder for the purpose of placing credits onto a medium that is redeemable outside of the casino, for merchandise and for restaurants.

3. Claims 15, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raven in view of Green in further view of Kowalick (U.S.

Patent No. 7,107,245).

Re claims 15, 16, and 17: Raven fails to disclose that the player identification input device is a bio-sensor input device and the player identification device is a physical attribute of the player. However, Kowalick discloses that the player identification input device is a bio-sensor containing a biometric sample (Abstract) wherein the biometric sample can include a fingerprint or a eye scanner (column 2, lines 11-15). It would have been obvious to one skilled in the art to modify the invention of the invention of Raven with a biometric sensor to identify a player's identity for the purpose of providing a player token that can not be fraudulently copied and reproduced.

4. Claim 18, 22-29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Raven in view of Walker (US Patent No.6,634,942).

Re claim 18, 25, 26, 27, : Raven discloses a gaming system including a system controller (column 1, lines 50-54, column 2, lines 43-65) wherein the system controller is a MASTERCOM, a plurality of gaming machines (column 1, lines 51-54), a communications system connecting each of the plurality of gaming machine to the system controller wherein wires connect the game machine to the system controller (Fig. 3), and a player identification device having an associated player credit (column 7, lines 3-10; column 11, lines 24-40), each of the gaming machines each having (1) a credit recording facility (column 10, lines 59-65), (2)

a player input device (Abstract) wherein a player input device is a card reader, (3) a player identification input device responsive to a player identification device (column 7, lines 3-10; column 10, lines 38-64; column 11, lines 24-40) wherein the player identification device is a magnetic card or smart card; and (4) a game controller to play a game when a player has established a credit in the credit recording facility of the respective gaming machine(column 3, lines 12-16; column 10, lines 52-64; column 11, lines 1-13) wherein the game controller is a microprocessor, game machine is locked to prevent play of the gaming machine by any player (column 8, lines 14-36), via player action and unlocked when the machine is supplied via the identification input device (column 8, lines 14-36), with the player identification device associated with the credit held in the credit recording facility of the respective gaming machine(column 8, lines 14-36). Raven fails to disclose that the machine is locked solely when player credit held in the credit recording facility of the respective machine is non-zero. Therefore attention must be directed towards Green which states that "if there are no credits left on the machine at the end of player there is no need to insert the key- the machine will **automatically** be released after predetermined time." Green further states that "a member may reserve a machine, **with credits on it**, and without having his key actually in the machine," and thus Green provides reserving a game machine solely when player credit is held in the machine. It would have been obvious to one skilled in the art to modify the invention of Raven with the requirement that a reserved machine have player credits as taught by Green, for the purpose of preventing game machines from becoming

unprofitable due to their un-usability while having no player credits stored on them. Raven in view of Green fails to disclose that the gaming machine is locked so that when a player tracking device is supplied to the tracking input device of another gaming machine, and credit associated with the credit held in the credit recording facility of the one gaming machine is transferred to the credit recording facility of the other gaming machine. Therefore, attention must be directed towards Walker which discloses that a player can play a game machine and then proceed to another game machine and by inserting their card, unlock the previous game machine. In addition the player can receive a credit balance that results in a payout from the previous game machine (column 15, lines 37-57) or even resume play of the previous game (column 16, lines 7-11), which both require the game machine to inherently have a credit recording facility that counts and displays the credit of the game. It would have been obvious to one skilled in the art to modify the game system of Raven to allow players to reestablish gameplay on another game machine and remove the reservation of a previous game machine as taught by Walker, for the purpose of allowing more players to play more game machines, thus increasing the revenue of the casino.

Re claim 22: Raven discloses that a player credit is established by a credit establishment facility and associated with a player tracking device of a player establishing the credit wherein the credit establishment facility is the casino in control of the system controller, said player credit to be held in the system

controller wherein the player tracking device is the player identification card (column 10, lines 44-64).

Re claim 23: Raven discloses that each gaming machine connected to the system includes a credit importing facility such that when a player identification device is supplied to a gaming machine that is not currently holding a player credit in its credit recording facility and is unlocked, the gaming machine will signal the system controller to transfer the players credit of the player supplying the player identification device to the credit recording facility of the respective gaming machine (Abstract; column 10, lines 52-64) wherein the credit importing facility is microprocessor which updates the gaming machine display with the received credits.

Re claims 24: Raven discloses that the player credit held in the system controller is transferred to the credit recording facility of the machine selected by the player when the player inserts the associated player identification tracking device into the player identification input device of the selected machine (column 10, lines 47-64).

Re claims 28: Raven discloses that the token is issued by a gaming establishment as an in-house mechanism (column 11, lines 27-28).

Re claims 29: Raven discloses that the token is a financial transaction card

issued by a remote financial institution wherein the financial transaction card is a credit card (column 10, lines 44-47, 55-59).

5. Claims 19, 20, 26, 44, 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raven in view of Green in further view of Walker (US PG PUB 2003/0220138)

Re claims 19: Raven discloses the actuating of a plurality of buttons to instantiate a reservation of a game machine (column 8, lines 14-39). However, Raven fails to disclose that the gaming machines connected to the system includes a singular reservation button and wherein said player action includes actuation of said reservation button. Therefore attention must be directed towards Walker which discloses a gaming machine similar to that of Raven discloses a reservation button wherein the reservation button is a "freeze button" that when pressed while the player tracking means is present causes the machine to lock and prevent further play in the absence of the respective player tracking means (0227; 0265). Because both Raven and Walker disclose actuating a button or buttons to proceed with a reservation process, it would have been obvious to one skilled in the art to simply substitute the plural buttons of Raven with the singular button of Walker, for the purpose of making reserving a game machine easier to reserve by limiting the amount of buttons that need to be actuated.

Re claims 20: Under the operation of the combination of Raven and Walker as stated above, the game machine must contain player's credit, because Raven states that when a player's credit is zero the player must replenish their account in order to continue (column 11, lines 37-40).

Re claim 44: Raven discloses that said player action further includes use of said player identification device wherein the player identification device must be

placed into the machine before reservation means can progress (column 8, lines 25-30).

Re claim 45: Raven discloses that the player action includes removal of said player identification card from said player identification device (column 8, lines 25-30).

6. Claims 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raven in view of Green in further view of Wilder (U.S. Patent 6,638,169).

Re claim 30: Raven fails to disclose that the token is a ticket is a ticket readable by an acceptor mounted within the gaming machine. However, Wilder discloses such (column 4, lines 5-29) containing a plurality of information (column 4, lines 14-15) which one skilled in the art would reasonably assume is player information. Because both Raven and Wilder disclose methods of transferring player information to the gaming machine, it would have been obvious to one skilled in the art to replace the card means of Raven for the ticket means of Wilder for the purpose of placing credits onto a medium that is redeemable outside of the casino, for merchandise and for restaurants.

Claims 32, 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raven in view of Green in further view of Kowalick (U.S. Patent No. 7,107,245).

Re claims 32, 33: Raven fails to disclose that the player identification input device is a bio-sensor input device and the player identification device is a physical attribute of the player. However, Kowalick discloses that the player identification input device is a bio-sensor containing a biometric sample (Abstract) wherein the biometric sample can include a fingerprint or a eye scanner (column 2, lines 11-15). It would have been obvious to one skilled in the art to modify the invention of the invention of Raven with a biometric sensor to identify a player's identity for the purpose of providing a player token that can not be fraudulently copied and reproduced.

Response to Arguments

7. Applicant's arguments filed 08/03/2009 have been fully considered but they are not persuasive. In regards to claims 1 and 18, the Applicant has amended the claim language to specifically state that the game machine is "selected" in a credit establishment facility. However, as the amended claim language currently states, the gaming machines of Raven are selected by the player in the credit establishment facility (casino). Regarding the amended claim 18, the examiner has presented a new rejection of Raven in view of Green in further view of Walker (U.S. Patent No. 6,634,942).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to REGINALD A. RENWICK whose telephone number is (571)270-1913. The examiner can normally be reached on Monday-Friday, 7:30AM-5:00PM, Alt Fridays, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dmitry Suhol/
Supervisory Patent Examiner, Art Unit 3714

9/14/2009
/R. A. R./
Examiner, Art Unit 3714